

underscored material = new  
[bracketed material] = delete

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

HOUSE MEMORIAL 36

**49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009**

INTRODUCED BY

Nathan P. Cote

A MEMORIAL

REQUESTING THE NEW MEXICO CONGRESSIONAL DELEGATION TO SUPPORT  
FEDERAL LEGISLATION CREATING A NATIONAL DATABASE OF MOTOR  
VEHICLE CLAIMS.

WHEREAS, there are forty to fifty thousand motor vehicle  
accidents annually in New Mexico, and most motor vehicles that  
have been in accidents are repaired and continue in service on  
the roads; and

WHEREAS, New Mexico law requires disclosure of any repair  
costs that exceed six percent of the sales price of a motor  
vehicle, thus protecting New Mexico consumers; and

WHEREAS, many other states do not offer the protections of  
New Mexico law, and wrecked motor vehicles are rebuilt and  
resold without disclosure to wholesalers, retailers and  
consumers; and

.176798.3

underscoring material = new  
[bracketed material] = delete

1           WHEREAS, these repaired motor vehicles then find their way  
2 into New Mexico without disclosures; and

3           WHEREAS, the failure to disclose accidents and other  
4 alterations to motor vehicles results in unfair competition by  
5 unscrupulous persons; and

6           WHEREAS, knowledge of prior accident repair will lead  
7 consumers to investigate more carefully the condition, safety  
8 and value of a used motor vehicle that they may purchase; and

9           WHEREAS, the value of a motor vehicle that has been in an  
10 accident is less than that of a comparable motor vehicle that  
11 has not been in an accident; and

12           WHEREAS, the information of a motor vehicle's accident and  
13 repair history is important to consumers seeking to buy a motor  
14 vehicle; and

15           WHEREAS, existing private database reports, such as Carfax  
16 and Autocheck, fail to report information in a comprehensive  
17 and timely fashion, contain extensive disclaimers and charge a  
18 substantial fee; and

19           WHEREAS, currently only twenty-five states participate by  
20 providing data to the national motor vehicle title information  
21 system, and, of those, only thirteen states currently make  
22 inquiries for information;

23           NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF  
24 REPRESENTATIVES OF THE STATE OF NEW MEXICO that the New Mexico  
25 congressional delegation be requested to support federal

.176798.3

underscoring material = new  
[bracketed material] = delete

1 legislation to supplement the national motor vehicle title  
2 information system and upgrade the national database, mandating  
3 the reporting of motor vehicle accidents that require repairs  
4 of seven hundred fifty dollars (\$750) or more, thefts and  
5 insurance claims, and making that information readily available  
6 to all consumers free or for a nominal charge; and

7 BE IT FURTHER RESOLVED that copies of this memorial be  
8 transmitted to the New Mexico congressional delegation.

10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25